

The bill was considered in the Senate and not in the committee of the whole, as per the committee report.

Senator Bell offered the following amendment:

Amend by inserting in section 5, "and to the eleventh congressional."

Adopted.

Senator Houston of Bexar moved to amend by striking out "thirty-eighth judicial district," and insert "thirty-fourth judicial district."

Adopted.

The bill passed to third reading by the following vote:

YEAS—12.

Bell,	Getzendaner,	Pope,
Calhoun,	Glasscock,	Randolph,
Davis,	Houston of Wheeler,	Terrell,
Evans,	Knittel,	Woods,

NAYS—11.

Camp,	Hall,	Perry,
Farrar,	Harrison,	Stinson,
Fowler,	Houston of Bexar,	Traylor,
Garrison,	Kilgore,	

ABSENT, NOT VOTING.

Jerdone,	Kleberg,	Pfeuffer.
Jones,		

Senator Fowler sent up the following privileged reports:

COMMITTEE ROOM,  
AUSTIN, March 13, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared substitute Senate bill No. 65, being "An act to amend article 690, chapter 90 of the Penal Code, as amended April 4, 1881," and find the same correctly enrolled, and have this day, at 10:50 o'clock a. m., presented the same to the Governor for his approval.

All of which is respectfully submitted.

FOWLER, Chairman.

COMMITTEE ROOM,  
AUSTIN, March 13, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared substitute Senate bill No. 46, being "An act for the relief of William S. Boothe, S. F. Grimes and the heirs of Henry Leftridge, deceased," and find the same correctly enrolled, and have this day, at 10:50 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

On motion of Senator Stinson,

The special order was postponed temporarily and Senate bill No. 169, "An act to provide for the separation of partition or adjoining fences," was taken up and read the second time.

Senator Kilgore offered to amend by adding section 3 to the bill:

That any person who shall wilfully continue to join his fence to that of another whose fence has been withdrawn under the provisions of this act, shall be fined not less than five nor more than twenty-five dollars.

Adopted.

Senator Stinson moved to amend by adding to line 12 the words "in writing."

Adopted.

Senator Stinson moved to amend the caption to conform to section 3.

Adopted.

Senator Woods moved to add to section 2, "ten feet from the line."

Senator Kilgore moved to amend the amendment by striking out "ten" and inserting "six."

The amendments were withdrawn, and

The bill was ordered engrossed.

Senate bill No. 121 was laid before the Senate, with House amendment.

On motion of Senator Shannon,

The Senate concurred in the House amendment.

Senate bill No. 267, "An act to authorize the State Capitol Board to contract for the substitution of granite for limestone in the construction of the exterior walls of the superstructure of the new State Capitol, and for other changes therein, and to conform all laws thereto, and to make an appropriation for the contingent expenses connected therewith, and to authorize the payment for such change to be made to the contractor in convict labor," was laid before the Senate as the special order, and read the second time.

On motion of Senator Davis,

The bill was postponed and made special order for Monday, and from day to day till disposed of.

Substitute Senate bill No. 189, "An act to require the Attorney-General to bring suit to recover all lands and cancel all patents illegally issued for any and all lands situated within the territorial limits of Greer county, belonging to the State, the free school fund, or any other special fund of the State, and to fix the venue of such suits," was laid before the Senate in its regular order, and read the third time.

Senator Houston of Bexar offered to amend the emergency clause so that this act shall not take effect or be in force until two years after its passage.

Senator Pope withdrew his motion entered to reconsider the vote by which House bill No. 428 (a railroad bill) was passed.

Senator Shannon asked leave to enter a motion to reconsider the vote by which the Val Verde county House bill (No. 105) was passed to third reading.

Senator Pope raised the point of order that Senator Shannon had not voted on the bill and could not move a reconsideration.

The point of order was sustained.

Senator Terrell entered the motion to reconsider the vote.

On motion of Senator Bell,

The Senate adjourned till 10 o'clock to-morrow morning.

FIFTY-SECOND DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 14, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Hall,

The reading of the journal of yesterday was dispensed with.

On motion of Senator Jones,

Senator Kleberg was excused until Wednesday.  
On motion of Senator Bell,  
Mr. Boynton was excused, on account of sickness.

## REPORTS OF STANDING COMMITTEES.

By Senator Traylor:

COMMITTEE ROOM,  
AUSTIN, March 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Agriculture, to whom was referred Senate bill No. 268, entitled "An act to regulate the duties of public ginners, or persons ginning cotton for toll, and prescribing penalties for a violation of the same," have had the same under consideration, and instruct me to report it back with the recommendation that it do not pass.

Your committee think there is no demand for the passage of the bill, and if there was, there is too much machinery for its successful and satisfactory operation.

All of which is respectfully submitted.

TRAYLOR, Acting Chairman.

Bill read first time.

By Senator Bell:

COMMITTEE ROOM,  
AUSTIN, March 13, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 169, being "An act to provide for the separation of partition or adjoining fences, and to provide a penalty for violation of the provisions of this act," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

Senate bill No. 189, the Greer county land bill, was laid before the Senate as unfinished business.

The amendment of Senator Houston of Bexar, which was pending on adjournment, was lost by the following vote:

## YEAS—5.

Getzendaner,	Houston of Bexar,	Knittel.
Glasscock,	Kilgore,	

## NAYS—18.

Bell,	Fowler,	Randolph,
Calhoun,	Garrison,	Shannon,
Camp,	Hall,	Stinson,
Davis,	Harrison,	Terrell,
Evans,	Perry,	Traylor,
Farrar,	Pope,	Woods.

## ABSENT, NOT VOTING.

Jerdone,	Jones,	Pfeuffer.
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The bill passed by the following vote:

## YEAS—20.

Bell,	Garrison,	Randolph.
Calhoun,	Getzendaner,	Shannon,
Camp,	Hall,	Stinson,
Davis,	Harrison,	Terrell,
Evans,	Jones,	Traylor,
Farrar,	Perry,	Woods.
Fowler,	Pope,	

## NAYS—5.

Glasscock,	Kilgore,	Pfeuffer.
Houston of Bexar,	Knittel,	

## ABSENT, NOT VOTING.

Jerdone.

House bill No. 105 (the Val Verde county bill), was taken up on motion of Senator Terrell entered to reconsider the vote by which the bill was passed to third reading.

Senator Terrell withdrew the motion to reconsider.  
The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
AUSTIN, March 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to inform your honorable body of the passage of House bill No. 79, "An act to amend chapter 9 and section 10 of an act of the regular session of the Seventeenth Legislature, entitled 'an act authorizing the commissioners' court of the several counties of the State to issue bonds for the erection of a court house and to levy a tax to pay the same,' approved February 11, 1861, so as to include the issue of jail bonds, denominated as chapter 17 of the acts of the special session of the Legislature held in 1884, and to validate bonds issued under an act to amend an act entitled 'an act to amend chapter 9, section 10 of an act of the regular session of the Seventeenth Legislature, entitled an act authorizing the commissioners' court of the several counties of this State to issue bonds for the erection of a court house and to levy a tax to pay the same,' approved February 11, 1881, so as to include the issue of jail bonds."

House bill No. 489, "An act to amend chapter 6, title 8 of the Penal Code, by adding article 259a."

Senate bill No. 223, "An act to provide for the publication and binding of one thousand copies of the Revised Civil Statutes of the State of Texas."

The House insists on its amendment to Senate bill No. 25, and asks for a conference committee, and appoints on the part of the House Messrs. Steele, Foster of Grayson and McKinney of Milam.

A. D. SADLER,  
Chief Clerk House Representatives.

Senator Shannon moved to appoint the special conference committee on Senate bill No. 25—the Fish Commissioner's bill—asked for.

Adopted.

The President appointed Senators Shannon, Evans and Getzendaner.

(Senator Shanon, President pro tem., in the chair.)

The bill on Ual Verde county was lost by the following vote:

## YEAS—12.

Bell,	Harrison,	Pope,
Calhoun,	Houston of Wheeler,	Randolph,
Evans,	Knittel,	Terrell,
Getzendaner,	Pfeuffer,	Woods.

## NAYS—12.

Camp,	Hall,	Perry,
Davis,	Houston of Bexar,	Shannon,
Fowler,	Jones,	Stinson,
Garrison,	Kilgore,	Traylor.

Paired: Senators Farrar and Jerdone; the former would have voted "nay" the latter "aye."

(The President in the chair.)

Senator Houston of Bexar called up the the motion to reconsider the vote by which Senate bill No. 221 (the Jones railroad bill) was lost, on engrossment.

The motion to reconsider was lost by the following vote:

## YEAS—12.

Bell,	Hall,	Jones.
Fowler,	Houston of Bexar,	Knittel,
Garrison,	Houston of Wheeler,	Perry,
Glasscock,	Jerdone,	Terrell.

## NAYS—14.

Calhoun,	Harrison,	Shannon,
Camp,	Kilgore,	Stinson,
Davis,	Pfeuffer,	Traylor,
Evans,	Pope,	Woods.
Getzendaner,	Randolph,	

Paired: Senators Peacock and Farrar. The former would have voted "yea," the latter "nay."

Senate bill No. 122, "An act to regulate the collection of taxes and to provide for prompt settlement by collectors," was laid before the Senate in its regular order, and read the third time and passed by the following vote:

## YEAS—17.

Bell,	Harrison,	Pfeuffer,
Camp,	Jerdone,	Shannon,
Farrar,	Jones,	Stinson,
Fowler,	Kilgore,	Traylor,
Getzendaner,	Knittel,	Woods.
Glasscock,	Perry,	

## NAYS—8.

Calhoun,	Garrison,	Randolph,
Davis,	Houston of Bexar,	Terrell.
Evans,	Houston of Wheeler,	

ABSENT, NOT VOTING.

Pope.

Senate bill No. 64, "An act to provide for the management and control of the lands set aside for the benefit of the University of Texas." was laid before the Senate in its regular order, read the third time and passed by the following vote:

## YEAS—13.

Bell,	Harrison,	Pope,
Calhoun,	Houston of Bexar,	Terrell,
Farrar,	Jones,	Traylor,
Fowler,	Kilgore,	Woods.
Glasscock,		

## NAYS—10.

Camp,	Getzendaner,	Randolph,
Davis,	Perry,	Shannon,
Evans,	Pfeuffer,	Stinson.
Garrison,		

ABSENT, NOT VOTING.

Hall,	Jerdone,	Knittel
Houston of Wheeler,		

By leave Senator Perry sent up the following report:

COMMITTEE ROOM,  
AUSTIN, March 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Roads and Bridges, to whom was referred House bill No. 133, entitled "An act to amend chapter 3, article 4405, relating to service on public roads," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Strike out the word "fifty," in the seventh line, and insert the word "forty."

All of which is respectfully submitted.

PERRY, Chairman.

Bill read first time.

On motion of Senator Davis,

Senate bill No. 269, "An act to amend an act to amend section 16 of an act entitled 'an act to re-district the State into judicial districts and fix the times of holding court therein, and to provide for the election of judges and district attorneys,' etc. approved April 9, 1883," was taken up out of its regular order and read the second time.

Senator Davis offered to amend by adding to the caption the words "approved January 30, 1884."

Adopted and bill ordered engrossed.

On motion of Senator Davis,

The constitutional rule was suspended and the bill was placed on its third reading by the following vote:

## YEAS—24.

Bell,	Getzendaner,	Pfeuffer,
Calhoun,	Glasscock,	Pope,
Camp,	Hall,	Randolph,
Davis,	Harrison,	Shannon,
Evans,	Houston of Bexar,	Stinson,
Farrar,	Houston of Wheeler,	Terrell,
Fowler,	Jones,	Traylor,
Garrison,	Kilgore,	Woods.

## NAYS—none.

ABSENT, NOT VOTING.

Jerdone,	Knittel,	Perry.
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The bill was read third time and passed.

On motion of Senator Houston of Bexar,

Senate bill No. 163, "An act to provide for the appointment of official stenographers for the district courts of the State of Texas," was taken up out of its regular order and read the second time, with committee amendments.

Senator Houston of Bexar moved the adoption of the committee amendments.

Senator Davis moved to adopt the committee majority (unfavorable) report.

The majority report was adopted, killing the bill.

On motion of Senator Terrell,

Senate bill No. 209, "An act to preserve the charters of railroad companies that by reason of the financial condition of the country have not constructed the number of miles of road annually required by law, and to prevent the forfeiture thereof," was taken up out of its regular order and read the second time.

Senator Terrell offered the following amendment:

Amend by adding:

Whereas, The near approach of the close of the session may endanger the passage of this bill, therefore an emergency and imperative public necessity exists for the suspension of the constitutional rule which requires bills to be read on three several days, and the same is suspended, and this act shall take effect and be in force from and after its passage.

Adopted, and

The bill was ordered engrossed.

The President gave notice of signing Senate bill No. 223, "An act to provide for the publication and binding of one thousand copies of the Revised Statutes, and to make appropriation therefor."

On motion of Senator Woods,

Senate bill No. 47, "An act to repeal articles 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822 and 2823 of the Revised Civil Statutes of Texas, and to provide for the performance of the duties required by law of the Commissioner of Insurance, Statistics and History," was taken up and read second time, with majority (unfavorable) and minority (favorable) committee reports.

Senator Woods moved to substitute the minority for the majority report.

(Senator Shannon, President pro tem., in the chair.)

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
AUSTIN, March 14, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body of the passage of

Substitute House bill No. 392, "An act to restore to and confer upon the county court of Camp county the criminal jurisdiction heretofore belonging to it under the Constitution and general statutes of the State of Texas, to conform the jurisdiction of the district court to such change, and to repeal all laws in conflict with the provisions of this act."

House bill No. 525, "An act to amend section 11 of an act entitled 'an act to redistrict the State into judicial districts and to fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883."

Respectfully,

A. D. SADLER,

Chief Clerk House Representatives.

(The President in the chair.)

Senator Kilgore entered a motion to reconsider the vote by which the Senate refused to pass House bill No. 105 (the Val Verde county bill.)

The minority (favorable) report was adopted by the following vote:

YEAS—14.

Bell,	Garrison,	Shannon,
Calhoun,	Hall,	Terrell,
Davis,	Knittel,	Traylor,
Evans,	Perry,	Woods.
Fowler,	Randolph,	

NAYS—12.

Farrar,	Houston of Bexar,	Kilgore,
Getzendaner,	Houston of Wheeler,	Pfeuffer,
Glasscock,	Jerdone,	Pope,
Harrison,	Jones,	Stinson.

ABSENT, NOT VOTING.

Camp.

The bill was ordered engrossed by the following vote:

YEAS—14.

Bell,	Garrison,	Shannon,
Calhoun,	Harrison,	Terrell,
Davis,	Knittel,	Traylor,
Evans,	Perry,	Woods.
Fowler,	Randolph,	

NAYS—12.

Farrar,	Houston of Bexar,	Kilgore,
Getzendaner,	Houston of Wheeler,	Pfeuffer,
Glasscock	Jerdone,	Pope,
Hall,	Jones,	Stinson.

ABSENT, NOT VOTING.

Camp.

On motion of Senator Traylor, Senate bill No. 264, "An act to restore the jurisdiction of the county court of Bosque county, and repeal all laws in conflict therewith," was taken up out of its regular order and read the second time with committee substitute.

On motion of Senator Traylor,

The committee substitute was adopted.

Senator Pfeuffer moved to amend by adding after "Bosque," "Llano county," and amend the caption of the bill to conform.

Adopted, and

The bill was ordered engrossed.

The following House bills were referred:

Substitute House bill No. 392 was referred to Judiciary Committee No. 1.

House bill No. 525 was referred to Committee on Judicial Districts.

House bill No. 79 was referred to Committee on State Affairs.

On motion of Senator Houston of Wheeler,

The Senate adjourned till 10 o'clock Monday morning.

FIFTY-THIRD DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, March 16, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Stinson,

The reading of the journal of Saturday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Hall:

Petition protesting against the use of convict labor in the completion of the new State Capitol.

Referred to Committee on Public Buildings and Grounds.

REPORTS OF STANDING COMMITTEES.

By Senator Bell:

COMMITTEE ROOM,  
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 47, being "An act to repeal articles 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822 and 2823 of the Revised Statutes, and to provide for the performance of the duties required by law of the Commissioner of Insurance, Statistics and History," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,  
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared committee substitute for Senate bill No. 264, being "An act to restore the jurisdiction of the county courts of Bosque and Llano counties, and to repeal all laws and parts of laws in conflict therewith," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

By Senator Fowler:

COMMITTEE ROOM,  
AUSTIN, March 16, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred House bill No. 533, entitled "An act to amend section 25 of 'an act to redistrict the State into judicial districts and fix the times for holding the courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' have had the same under consideration, and instruct me to report it back with the recommendation that it do pass, with the following amendments:

1. After the words "imperative public necessity," in section 2, insert the words "and emergency."
2. Add to section 2 the words, "and it is so enacted."

All of which is respectfully submitted.

FOWLER, Chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

By Senator Houston of Wheeler:

"An act reorganizing the thirtieth and thirty-first judicial districts, and to create the thirty-ninth judi-